



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-1183-2025

Date of decision: 06.05.2025

Kaptan Singh @ Kalu Baba

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vikkrant K. Vij, Advocate
for the petitioner.

Mr. H.S. Deol, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') in case FIR No.144 dated 12.08.2022 under Sections 21, 29, 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), registered at Police Station Ghrinda, District Amritsar Rural.

2. On 14.01.2025, while noticing the following submissions made by the learned counsel for the petitioner, notice of motion had been issued to the respondent-State:-

“Learned Counsel for the petitioner, inter alia, contends that the petitioner has no previous criminal antecedents and has been falsely implicated in the present case merely on the basis of a disclosure statement allegedly suffered by three co-accused, Harjit Singh, Kulwant Singh and Karandeep Singh, from whom 1 KG 800 Grams of heroin was allegedly recovered. Learned Counsel has still further asserted that even no secret information was received with respect to the involvement



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of the petitioner in drug trafficking as had been received in the case of co-accused.”

3. Thereafter, vide order dated 28.01.2025, while noticing the following submissions of learned State counsel, the petitioner had been granted the concession of interim bail and asked to join investigation:-

“Learned State counsel has reiterated that a huge recovery of heroin was made from all the three co-accused who were travelling together and were apprehended on 12.08.2022. It has further been submitted that a disclosure statement was thereafter made by the co-accused who claimed that the petitioner was the supplier of the recovered contraband.

On a pointed query put to the learned State counsel as to after how many days was the disclosure statement allegedly suffered by the co-accused, he has drawn the attention of this Court to the reply filed in the Court today and submitted that it was two days later i.e. on 14.08.2022.

On a further query put to the learned State counsel as to whether any proceedings under Section 82 of the Cr.P.C. had been initiated against the petitioner in the preceding almost two and a half years, he, on instructions, has replied in the negative.

On a further query as to whether the petitioner is involved in any other criminal case, he, on instructions, has replied in the negative.”

4. Learned counsel for the petitioner submits that in compliance of order dated 28.01.2025, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

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6. In view of the above, the petition is allowed and interim order dated 28.01.2025, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

06.05.2025

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**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No